BORO OF ETNA

REQUEST FOR VARIANCE

Property Owner's Name And Address

First:_____ Last:_____

Address:_____

City:_____ State:_____ Zip:_____

Requests Boro To Waive:

Ordinance:(Section, subsection etc.)_____

Description:_____

_____

_____

Property Information:

Location:_____

Tax Parcel #:_____

THE BOROUGH OF ETNA

437 BUTLER STREET
ETNA, PITTSBURGH, PA 15223
PHONE: (412) 781-0569 FAX: (412) 782-5302

APPLICATION FOR HEARING BEFORE ZONING HEARING BOARD

NOTE: APPLICATION MUST BE FILLED OUT IN ITS ENTIRETY & PAYMENT RECEIVED. APPLICATION MUST BE COMPLETED BY CURRENT PROPERTY OWNER OR HAVE WRITTEN CONSENT FROM THE CURRENT OWNER ATTACHED TO THE APPLICATION.

SCHEDULE OF FEES THAT APPLICANT IS RESPONSIBLE FOR

A) COST OF HEARING $__________ B) ½ OF STENOGRAPHER'S FEE $__________
C) ½ OF ADVERTISING FEE $__________ D) OTHER $__________

1. DATE: ______________________________
2. APPLICANT'S NAME: ______________________________
3. APPLICANT'S ADDRESS: ______________________________
4. APPLICANT'S PHONE#: DAY( ) ______________ EVE( ) ______________
5. ADDRESS OF PROPERTY ON QUESTION: ______________________________
6. LOT#/BLOCK#: ______________________________
7. CURRENT PROPERTY OWNER'S NAME: (IF SAME AS LINE# 2 PROCEED TO #10) ______________________________
8. CURRENT PROPERTY OWNER'S ADDRESS: ______________________________
9. CURRENT PROPERTY OWNER'S PHONE#: DAY( ) ______________ EVE( ) ______________
10. PROPERTY'S CURRENT ZONING CLASSIFICATION: ______________________________
11. ZONING DISTRICT PROPERTY IS LOCATED IN: ______________________________

APPLICANT'S SIGNATURE: ______________________________

* NOTE: ATTACH PLOT PLAN TO APPLICATION

CHECK DAY CONVENIENT FOR HEARING (BOARD WILL TRY TO SCHEDULE ACCORDING TO YOUR REQUEST)

______MON. ______TUES. ______WED. ______THURS. ______FRI. (EVE. ONLY)

______SAT. (BEFORE NOON)

****

OFFICE USE ONLY

DATE PYM'T RECV'D______________ TYPE OF PYM'T______________

RECV'D BY (INITIALS)______________

Variance Hearing Fee Schedule

1. $100.00 for hearing.
2. 50% of the stenographer fee.
3. 50% of the advertising fee.

(a) Appeals from the Zoning Official - The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Official has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of a valid ordinance or map or any valid rule or regulation governing the action of the Zoning Official.

(b) Challenge to the Validity of an Ordinance or Map.

The Board shall hear challenges to the validity of the Zoning Ordinance or map. In all such challenges, the Board shall take evidence and make a record thereon. At the conclusion of the hearing, the Board shall decide all contested questions and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the Court. These findings shall become final if no further appeals are filed within thirty (30) days.

(c) Variances. The Board shall hear requests for variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant. A request for a variance may only be filed by the landowner or tenant, if that tenant does so with the permission of the landowner. After a public hearing, the Board may grant a variance provided the following findings made were relevant in a given case:

(1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located;

(2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of property;

(3) That such unnecessary hardship has not been created by the appellant;

(4) That the variance, if authorized, will not alter the essential character of the neighborhood, or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare; and

(5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Zoning Ordinance.

(d) Special Exceptions. The Board shall hear and decide requests for special exceptions in accordance with standards and criteria set forth in this Ordinance. A request for a special exception may only be filed by the landowner or tenant, if that tenant does so with the permission of the landowner. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the Ordinance, as it may deem necessary to implement the purposes of this Zoning Ordinance. After a public hearing, the Board may grant a special exception.

(e) Other Duties. The Board shall perform such other duties as may be provided or made necessary by this Ordinance, including the interpretation of boundaries, the holding of public hearings, the referral of any pertinent matter to the Planning Commission for review and recommendation, and the maintenance of records on all decisions and findings.

8.408 Referral to Planning Commission.

The Board shall refer to the Planning Commission for review and advice, all applications for variances, special uses or amendments. In its review, the Planning Commission shall report in writing its findings and recommendations if any to the Board within thirty (30) days. The Planning Commission shall in all matters be considered only as an advisory body to the Board and the Board shall make and be responsible for all decisions and actions required by this Ordinance.

ZONING HEARING BOARD

MUNICIPALITY OF ETNA

COUNTY OF ALLEGHENY

ENTRY OF APPEARANCE

NAME _____ DATE _____

ADDRESS _____

APPEAL NO. _____ ADDRESS _____
(Enter number of appeal in which you are interested and address of the property for which the appeal has been filed.)

Check all of the following which are applicable:

_____ I am appearing on my own behalf.

_____ I am representing:

Name _____

Address _____

_____ Please send me notice of any final decision in the matter.

_____
(Signature)